

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

VIRGINIA INNOVATION SCIENCES, INC.,

Plaintiff,

v.

AMAZON.COM, INC. et al.,

Defendants.

Civil Action No. 4:18-cv-00474-ALM

(LEAD CASE)

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INNOVATION SCIENCES, LLC

Plaintiff,

v.

RESIDEO TECHNOLOGIES, INC.

Defendant.

Case No.: 4:18-cv-00475 ALM

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INNOVATION SCIENCES, LLC

Plaintiff,

v.

HTC CORPORATION,

Defendant.

Case No.: 4:18-cv-00476 ALM

**JOINT MOTION FOR ENTRY OF A FOURTH AMENDED SCHEDULING ORDER**

Plaintiff Innovation Sciences, LLC and Defendants Amazon.com, Inc., Amazon Digital Services, LLC, Amazon Web Services, Inc., Resideo Technologies, Inc., and HTC Corporation (collectively, “the Defendants”) file this motion seeking entry of a Proposed Fourth Amended Scheduling Order.

The parties propose the following modification to the Third Amended Scheduling Order (Dkt. 305), underlined below, to clarify that objections to any expert shall be filed within 3 weeks of the *rebuttal* expert report deadline, which is currently set for January 15, 2020:

Existing Deadline	Proposed Deadline
Parties designate expert witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness report, to include for ALL experts all information set out in Rule 26(2)(B).	Parties designate expert witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness report, to include for ALL experts all information set out in Rule 26(2)(B).
Objections to any expert, including <i>Daubert</i> motions, shall be filed within 3 weeks of the Expert Report disclosure. Such objections and motions are limited to ten pages.	Objections to any expert, including <i>Daubert</i> motions, shall be filed within 3 weeks of the <u>Rebuttal</u> Expert Report disclosure. Such objections and motions are limited to ten pages.

Good cause exists for the Court to enter this amended scheduling order. Plaintiff Innovation Sciences, LLC and the Defendants have agreed to extend the existing deadline to object to an expert, to the extent the current schedule requires objections to an opening expert report to be filed within 3 weeks of the opening expert report deadline, which was December 4, 2019. Moving the deadline to 3 weeks after the rebuttal expert report deadline provides the parties time to complete preparation and service of the expert reports before filing any objections

to the experts, thereby streamlining the objection process. Accordingly, the parties respectfully request that the Court enter the Proposed Fourth Amended Scheduling Order.

December 12, 2019

Respectfully submitted,

/s/ Dargaye Churnet

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